

1402

A-71673

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

MICHAEL R. LAYTON ET AL.

Serial No. 10/633,368

Filed: July 31, 2003

For: SHOCK-RESISTANT
ENCLOSUREExaminer: Amy Jo Sterling
Art Unit: 3632

Confirmation No. 5135

February 22, 2008

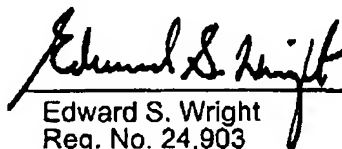
REQUEST FOR PARTIAL REFUND OF APPEAL FEECommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests a partial refund of the \$510.00 appeal fee which was charged to Deposit Account No. 50-2975 on February 21, 2008. As stated in the transmittal submitted with the Notice of Appeal, the appeal fee (\$500.00) had already been paid in a prior appeal and was charged to the same Deposit Account on August 31, 2006. Copies of the Deposit Account Statements showing the charges are attached.

Please refund the \$500.00 overcharge to Deposit Account 50-2975, Order No. A-71673.

Respectfully submitted,


Edward S. Wright
Reg. No. 24,903

(650) 330-0830

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS REQUEST FOR PARTIAL REFUND OF APPEAL FEE IS BEING FORWARDED TO THE PATENT OFFICE FOR FILING VIA FACSIMILE TRANSMISSION TO (571) 273-6500 on February 22, 2008.


EDWARD S. WRIGHT

Deposit Account Statement

Page 1 of 1


**United States
Patent and
Trademark Office**


Deposit Account Statement

Requested Statement Month: August 2006
 Deposit Account Number: 502975
 Name: LAW OFFICES OF EDWARD S WRIGHT
 Attention: EDWARD S WRIGHT
 Street Address 1: 1100 ALMA STREET
 Street Address 2: SUITE 207
 City: MENLO PARK
 State: CA
 Zip: 94025
 Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/04	236	2386994	TA-66961-1	7205	\$100.00	\$4,067.04
08/04	237	2386994	TA-66961-1	7208	\$200.00	\$3,867.04
08/04	38	5885319	A-63811	2552	\$1,150.00	\$2,717.04
08/16	2	10946715	A-75067	1814	\$130.00	\$2,587.04
08/16	3	10946715	A-75067	1402	\$500.00	\$2,087.04
08/22	2000	78957417	TA-75172-1	7007	\$550.00	\$1,537.04
08/22	77	E-REPLENISHMENT		9203	-\$7,500.00	\$9,037.04
08/23	140	78681746	TA-75112-1	7001	\$325.00	\$8,712.04
08/23	209	5396144	A-56994	1553	\$3,800.00	\$4,912.04
08/24	2	11286153	A-75080-1	2814	\$65.00	\$4,847.04
08/25	42	10229270	A-71107/ESW	1401	-\$500.00	\$5,347.04
08/31	47	10633368	A-71673/ESW	1401	\$500.00	\$4,847.04
08/31	1916	78964870	TA-57780-17	7007	\$275.00	\$4,572.04
		START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE	
		\$4,167.04	\$7,595.00	\$8,000.00	\$4,572.04	

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Deposit Account Statement

Page 1 of 1


**United States
Patent and
Trademark Office**
**Deposit Account Statement**

Requested Statement Month: February 2008
Deposit Account Number: 502975
Name: LAW OFFICES OF EDWARD S WRIGHT
Attention: EDWARD S WRIGHT
Street Address 1: 1100 ALMA STREET
Street Address 2: SUITE 207
City: MENLO PARK
State: CA
Zip: 94025
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/01	6723	E-REPLENISHMENT		9203	-\$1,000.00	\$4,885.04
02/04	11364	2589854	TA-24346-38	7205	\$100.00	\$4,785.04
02/04	11365	2589854	TA-24346-38	7208	\$200.00	\$4,585.04
02/05	20026	1451204	TA-40369-11	7205	\$100.00	\$4,485.04
02/05	20029	1451204	TA-40369-11	7203	\$100.00	\$4,385.04
02/05	20028	1451204	TA-40369-11	7206	\$100.00	\$4,285.04
02/05	20027	1451204	TA-40369-11	7201	\$400.00	\$3,885.04
02/05	20631	E-REPLENISHMENT		9203	-\$1,000.00	\$4,885.04
02/06	667	2536137	TA-67549-5	7205	\$100.00	\$4,785.04
02/06	668	2536137	TA-67549-5	7208	\$200.00	\$4,585.04
02/06	19	10946217	A-73425-1	1401	-\$510.00	\$5,095.04
02/07	5823	61026689	P-75227	2005	\$105.00	\$4,990.04
02/12	11053	29295924	FDA-75210-EM	8007	\$20.00	\$4,970.04
02/14	4404	78707631	TA-75123-4	7004	\$150.00	\$4,820.04
02/20	1922	E-REPLENISHMENT		9203	-\$2,500.00	\$7,320.04
02/20	10	11203074	A-75100	1401	\$510.00	\$6,810.04
02/20	14347	77202729	TA-75034-14	7003	\$100.00	\$6,710.04
02/21	5546	6786849	A-68052	2551	\$465.00	\$6,245.04
02/21	11725	2598946	TA-75167-2	7205	\$100.00	\$6,145.04
02/21	11726	2598946	TA-75167-2	7208	\$200.00	\$5,945.04
02/21	36	10633368	A-71673	1401	\$510.00	\$5,435.04

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$3,885.04	\$3,460.00	\$5,010.00	\$5,435.04

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FEB 20 2008

PTO/SB/31 (01-08)

Approved for use through 02/28/2008. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Docket Number (Optional)

NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

A-71673

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)) on 02/20/2008.

Signature

Typed or printed name

Edward S. Wright

In re Application of

Michael R. Layton

Application Number

10/633,368

Filed

07/31/2003

For Shock-Resistant Enclosure

Art Unit

3632

Examiner

Amy Jo Sterling

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 510

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-2975. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98)
- ☒ attorney or agent of record. Registration number 24,903
- ☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____

Edward S. Wright

Typed or printed name

(650) 330-0830

Telephone number

02/20/2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-0189 and select option 2.

02/21/2008 VBUI11 08000032 582975 10633368

01 FC:1401

510.00 DA

PAGE 2/16 * RCVD AT 2/20/2008 6:01:15 PM [Eastern Standard Time] * SVR:USPTO-EFXXF-5/33 * DNIS:2738300 * CSID:650 330 0831 * DURATION (mm-ss):03:06

Adjustment Date: 03/07/2008 SDIRETA1
08/31/2006 TL0111 00000039 502975 10633368
01 FC:1401 500.00 CR

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FEB 20 2008

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

MICHAEL R. LAYTON, ET AL.

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Examiner: Amy Jo Sterling

Group Art Unit: 3632

Confirmation No. 5135

February 20, 2008

BRIEF ON APPEAL

Adjustment date: 03/07/2008 SDIRETA1
11/17/2006 LTHOMPS1 00000004 502975 10633368
01 FC:1402 500.00 CR

03/07/2008 SDIRETA1 00000012 502975 10633368
01 FC:1402 510.00 DA

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